

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

SCOTT T. BALLOCK,

Plaintiff,

v.

CIVIL ACTION NO. 1:17CV52  
(Judge Keeley)

ELLEN RUTH COSTLOW,  
STATE TROOPER MICHAEL KIEF, and  
STATE TROOPER RONNIE M. GASKINS

Defendants.

ORDER FOLLOWING STATUS CONFERENCE

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Following oral argument and for reasons discussed on the record at a hearing held on October 9, 2019, the Court:

- **DENIED** defendants' motion to exclude Clifford B. Hawley as an expert witness as untimely (Dkt. No. 134);
- **DENIED** plaintiff's motion for partial summary judgment (Dkt. No. 117); and
- **GRANTED IN PART** defendants' motion for summary judgment and **dismissed** defendant State Trooper Chris Berry **with prejudice** (Dkt. No. 114).

The Court takes under advisement the pending motions for summary judgment filed by defendants State Trooper Michael Keif, State Trooper Ronnie M. Gaskins, and Ellen Ruth Costlow (Dkt. Nos. 114 and 116).

It is so **ORDERED**.

The Court **DIRECTS** the Clerk to transmit copies of this Order to counsel of record.

DATED: October 11, 2019.

/s/ Irene M. Keeley  
IRENE M. KEELEY  
UNITED STATES DISTRICT JUDGE